

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, D.C. 20554

In the Matter of )  
 )  
 Rulemaking to Amend Part 1 and Part 21 )  
 of the Commission's Rules to Redesignate )  
 the 27.5 - 29.5 GHz Frequency Band and )  
 to Establish Rules and Policies for )  
 Local Multipoint Distribution Service )

CC Docket No. 92-297

RM-7872; RM-7722

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MAR 21 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

**COMMENTS OF BELL ATLANTIC ON  
 SECOND NOTICE OF PROPOSED RULEMAKING  
 AND ESTABLISHMENT OF AN ADVISORY COMMITTEE  
 TO NEGOTIATE PROPOSED REGULATIONS**

The Bell Atlantic Companies<sup>1</sup> respectfully submit these comments to the Commission's second notice of proposed rulemaking and its associated public notice regarding establishment of an advisory committee to negotiate proposed regulations for the sharing of the 27.5 - 29.5 GHz band by terrestrial point-to-multipoint service providers and by satellite uplinks.

Bell Atlantic has been a participant in the local multipoint distribution service (LMDS) proceeding and supports the Commission's proposal for a negotiated rulemaking to establish the technical rules appropriate to sharing the band in questions. Bell Atlantic agrees with the Commission that all of the conditions precedent to the establishment of a negotiated rulemaking committee have been met, and that such a committee will be the most efficient means for setting the technical bandsharing rules.

The Commission's public notice outlines the interests affected by the proposed use of the 28 GHz band for LMDS, and Bell Atlantic believes that the proposed committee membership presents a balanced representation of the those interests. In the view of Bell Atlantic, a regulatory negotiation is the best means for reconciling these interests.

The Bell Atlantic Companies were specifically identified by the Commission in its public notice as being parties that would have an interest in the proceedings. Bell Atlantic does have

<sup>1</sup> The Bell Atlantic Companies include the Bell Atlantic operating telephone companies of New Jersey, Pennsylvania, Delaware, Maryland, the District of Columbia, Virginia, and West Virginia as well as Bell Atlantic Business Development, Inc., Bell Atlantic Mobile Systems, Inc., and Bell Atlantic Personal Communications, Inc.

a significant interest in this proceeding and hereby makes known its intention to participate fully in the rulemaking negotiations. Bell Atlantic's representative at these proceedings will be

Mr. Brian D. Oliver  
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1310 North Court House Road  
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#### CONCLUSION

For the foregoing reasons, Bell Atlantic supports the Commission's proposal to establish a Federal Advisory Committee pursuant to the applicable procedures set forth in Section 4(c) of the Negotiated Rulemaking Act of 1990, 5 USC Section 584(c).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. Roughton, Jr.", written over a horizontal line.

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March 21, 1994

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Comments of Bell Atlantic on Second Notice of Proposes Rulemaking and Establishment of an Advisory Committee to Negotiate Proposed Regulations" was served this 21st day of March 1994, by first class mail, postage prepaid, on the parties on the attached list.

  
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